

## HOUSE BILL NO. 265

INTRODUCED BY T. FACEY, MAHLUM, K. PETERSON

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING BOARDS OF TRUSTEES OF SCHOOL DISTRICTS TO ENTER INTO INTERLOCAL AGREEMENTS WITH ~~THE COLLEGES OF TECHNOLOGY~~ POSTSECONDARY INSTITUTIONS TO ALLOW 11TH AND 12TH GRADE STUDENTS TO OBTAIN CREDITS THROUGH ATTENDING CLASSES AVAILABLE ONLY AT ~~COLLEGES OF TECHNOLOGY~~ POSTSECONDARY INSTITUTIONS; PROVIDING ELIGIBILITY CRITERIA; REQUIRING PAYMENT OF ~~TUITION FEES~~ BY DISTRICTS OR STUDENTS ~~FROM AND~~ PAYMENTS; AMENDING SECTIONS SECTION 20-3-324 ~~AND~~ 20-7-301, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Running start program -- authorizing class credits at college of technology POSTSECONDARY INSTITUTION -- eligibility -- payment for credits. (1) AS USED IN THIS SECTION, "POSTSECONDARY INSTITUTION" MEANS A UNIT OF THE MONTANA UNIVERSITY SYSTEM, A PUBLIC COMMUNITY COLLEGE, OR A TRIBAL COLLEGE.

~~(1)(2)~~ A school district may enter into an interlocal ~~cooperative~~ agreement pursuant to Title 7, chapter 11, with a ~~college of technology~~ POSTSECONDARY INSTITUTION to institute a "running start" program to allow 11th and 12th grade students, as defined by the district, to attend classes at the ~~college of technology~~ POSTSECONDARY INSTITUTION AT A COST DETERMINED BY THE INTERLOCAL AGREEMENT and to obtain credits in classes not available through the school district.

~~(2)(3)~~ An agreement entered into by the district and the ~~college of technology~~ POSTSECONDARY INSTITUTION must state the amount for each credit to be paid TO THE POSTSECONDARY INSTITUTION by the district OR THE STUDENT ~~from the AND payments received by the district. The cost for each credit that a district may be charged for eligible students attending classes at a college of technology pursuant to this section is as follows:~~

- ~~———— (a) a minimum of \$110 up to a maximum of \$135 for one credit;~~
- ~~———— (b) a minimum of \$200 up to a maximum \$225 for two credits; and~~
- ~~———— (c) a minimum of \$280 up to a maximum \$315 for three credits.~~

~~(3)(4)~~ To participate in the program, a student shall complete a running start application provided to BY the district ~~by the office of public instruction and shall pass a standardized test administered by the office of public instruction to.~~ THE DISTRICT SHALL determine whether the student has the skills needed to succeed in THE PROPOSED college COURSEWORK. If accepted, a student may earn both high school and college credits, ~~with five college credits equal to one high school credit~~ AS DETERMINED BY THE INTERLOCAL AGREEMENT.

~~(4)(5)~~ In registering 11th and 12th grade students in the program, a ~~college of technology~~ POSTSECONDARY INSTITUTION may not displace adult students attending the ~~college~~ POSTSECONDARY INSTITUTION.

~~(5)(6)~~ If accepted into the program, the student is responsible for transportation, books, and all supplies.

~~(6)(7)~~ If a student accepted into the program drops out of a class or classes at the ~~college of technology~~ POSTSECONDARY INSTITUTION during the drop period established by the ~~college of technology~~ POSTSECONDARY INSTITUTION, the ~~college of technology~~ POSTSECONDARY INSTITUTION shall reimburse the district OR THE STUDENT the cost associated with the student's credits AS DETERMINED BY THE INTERLOCAL AGREEMENT.

**Section 2.** Section 20-3-324, MCA, is amended to read:

**"20-3-324. Powers and duties.** As prescribed elsewhere in this title, the trustees of each district shall:

(1) employ or dismiss a teacher, principal, or other assistant upon the recommendation of the district superintendent, the county high school principal, or other principal as the board considers necessary, accepting or rejecting any recommendation as the trustees in their sole discretion determine, in accordance with the provisions of Title 20, chapter 4;

(2) employ and dismiss administrative personnel, clerks, secretaries, teacher aides, custodians, maintenance personnel, school bus drivers, food service personnel, nurses, and any other personnel considered necessary to carry out the various services of the district;

(3) administer the attendance and tuition provisions and govern the pupils of the district in accordance with the provisions of the pupils chapter of this title;

(4) call, conduct, and certify the elections of the district in accordance with the provisions of the

1 school elections chapter of this title;

2 (5) participate in the teachers' retirement system of the state of Montana in accordance with the  
3 provisions of the teachers' retirement system chapter of Title 19;

4 (6) participate in district boundary change actions in accordance with the provisions of the districts  
5 chapter of this title;

6 (7) organize, open, close, or acquire isolation status for the schools of the district in accordance  
7 with the provisions of the school organization part of this title;

8 (8) adopt and administer the annual budget or a budget amendment of the district in accordance  
9 with the provisions of the school budget system part of this title;

10 (9) conduct the fiscal business of the district in accordance with the provisions of the school  
11 financial administration part of this title;

12 (10) subject to 15-10-420, establish the ANB, BASE budget levy, over-BASE budget levy,  
13 additional levy, operating reserve, and state impact aid amounts for the general fund of the district in  
14 accordance with the provisions of the general fund part of this title;

15 (11) establish, maintain, budget, and finance the transportation program of the district in  
16 accordance with the provisions of the transportation parts of this title;

17 (12) issue, refund, sell, budget, and redeem the bonds of the district in accordance with the  
18 provisions of the bonds parts of this title;

19 (13) when applicable, establish, financially administer, and budget for the tuition fund, retirement  
20 fund, building reserve fund, adult education fund, nonoperating fund, school food services fund,  
21 miscellaneous programs fund, building fund, lease or rental agreement fund, traffic education fund, impact  
22 aid fund, interlocal cooperative agreement fund, and other funds as authorized by the state superintendent  
23 of public instruction in accordance with the provisions of the other school funds parts of this title;

24 (14) when applicable, administer any interlocal cooperative agreement, gifts, legacies, or devises  
25 in accordance with the provisions of the miscellaneous financial parts of this title;

26 (15) hold in trust, acquire, and dispose of the real and personal property of the district in  
27 accordance with the provisions of the school sites and facilities part of this title;

28 (16) operate the schools of the district in accordance with the provisions of the school calendar  
29 part of this title;

30 (17) establish and maintain the instructional services of the schools of the district in accordance

1 with the provisions of the instructional services, textbooks, vocational education, and special education  
2 parts of this title;

3 (18) establish and maintain the school food services of the district in accordance with the  
4 provisions of the school food services parts of this title;

5 (19) make reports from time to time as the county superintendent, superintendent of public  
6 instruction, and board of public education may require;

7 (20) retain, when considered advisable, a physician or registered nurse to inspect the sanitary  
8 conditions of the school or the general health conditions of each pupil and, upon request, make available  
9 to any parent or guardian any medical reports or health records maintained by the district pertaining to the  
10 child;

11 (21) for each member of the trustees, visit each school of the district not less than once each  
12 school fiscal year to examine its management, conditions, and needs, except trustees from a first-class  
13 school district may share the responsibility for visiting each school in the district;

14 (22) procure and display outside daily in suitable weather on school days at each school of the  
15 district an American flag that measures not less than 4 feet by 6 feet;

16 (23) provide that an American flag that measures approximately 12 inches by 18 inches be  
17 prominently displayed in each classroom in each school of the district, except in a classroom in which the  
18 flag may get soiled. This requirement is waived if the flags are not provided by a local civic group.

19 (24) adopt and administer a district policy on assessment for placement of any child who enrolls  
20 in a school of the district from a nonpublic school that is not accredited, as required in 20-5-110;

21 (25) upon request and in compliance with confidentiality requirements of state and federal law,  
22 disclose to interested parties school district student assessment data for any test required by the board  
23 of public education; ~~and~~

24 (26) CONSIDER AND MAY enter into an interlocal agreement with a ~~college of technology~~  
25 POSTSECONDARY INSTITUTION, AS DEFINED IN [SECTION 1], that authorizes 11th and 12th grade students to  
26 obtain credits through classes available only at a ~~college of technology~~ POSTSECONDARY INSTITUTION; and

27 ~~(26)~~(27) perform any other duty and enforce any other requirements for the government of the  
28 schools prescribed by this title, the policies of the board of public education, or the rules of the  
29 superintendent of public instruction."  
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~~Section 3. Section 20-7-301, MCA, is amended to read:~~

~~"20-7-301. Duties of the superintendent of public instruction. The superintendent of public instruction shall be is the governing agent and executive officer of the state of Montana for K-12 vocational education. The superintendent of public instruction shall adopt and administer policies to effect the orderly development of a system of K-12 vocational education that is adaptable to changing needs, controlled to prevent unnecessary duplication, coordinated with federal guidelines and requirements for vocational education, and funded to ensure growth and quality programming. In order to accomplish the orderly development of a system of K-12 vocational education, the superintendent of public instruction policies shall include:~~

~~(1) a state plan for such the development;~~

~~(2) standards for K-12 vocational education courses and programs;~~

~~(3) a review process for the establishment and deletion of programs;~~

~~(4) instructor qualifications for K-12 vocational education courses and programs;~~

~~(5) criteria for approval of K-12 vocational education courses and programs;~~

~~(6) a basis for apportionment of all moneys money appropriated by the legislature for K-12 vocational education in accordance with the intent of the legislature as reflected in the terms of the appropriation;~~

~~(7) a basis for apportionment of all moneys money received by the state of Montana for K-12 vocational education from the federal government in accordance with the acts of congress;~~

~~(8) a system of evaluation of K-12 vocational education which that allows for consideration of the current and projected manpower needs and job opportunities; and~~

~~(9) a means of administering agreements between school districts and colleges of technology that authorize 11th and 12th grade students to obtain credits through classes at the colleges of technology; and~~

~~(9)(10) any other policy not inconsistent with public law and which that is necessary for the proper operation of a system of K-12 vocational education."~~

NEW SECTION. SECTION 3. NOTIFICATION TO TRIBAL GOVERNMENTS. THE SECRETARY OF STATE SHALL SEND A COPY OF [THIS ACT] TO EACH TRIBAL GOVERNMENT LOCATED ON THE SEVEN MONTANA RESERVATIONS AND TO THE PRESIDENT OF EACH TRIBAL COLLEGE.

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2        NEW SECTION. **Section 4. Codification instruction.** [Section 1] is intended to be codified as an  
3 integral part of Title 20, chapter 9, part 7, and the provisions of Title 20, chapter 9, part 7, apply to  
4 [section 1].

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6        NEW SECTION. **Section 5. Effective date -- applicability.** [This act] is effective July 1, 2001, and  
7 applies to interlocal agreements entered into on or after July 1, 2001.

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